

The Examiner rejected claims 1-5 and 9-10 under 35 U.S.C. 101 of same invention type double patenting in light of claims 1-6 and 9 of U.S. Patent No. 6,031,537.

The Applicant respectfully disagrees. Claim 1 of the '537 patent reads as:

1. A method for organizing and processing information using a computer, said information comprising a plurality of thoughts, and said method comprising the steps of:

defining a matrix comprising the plurality of thoughts and further comprising a plurality of network relationships among the thoughts, wherein each thought may be related to at least one other of said thoughts, and wherein at least one of the thoughts is directly related to one of the other thoughts;

displaying an indicium of a first thought as a central thought on a display;

displaying an indicium of a second thought on the display wherein the second thought having a direct relation to the first thought; and

selecting said second thought to be a new central thought on the display, wherein indicia of those thoughts having defined relations with the second thought will be displayed and are rearranged upon the selection of said new central thought in a manner that graphically reflects the relationship between said thoughts and said new central thought. [emphasis added].

Claim 1 of the present invention reads as:

1. A method for organizing and processing electronic information comprising the steps of:

organizing the electronic information as a plurality of thoughts;

defining a matrix of the plurality of thoughts and further including a plurality of network relationships among the thoughts, wherein each thought may be related to at least one of the other thoughts, and at least one of the thoughts is directly related to one of the other thoughts;

selecting a first thought from the plurality of thoughts to be a central thought;

displaying an indicium of the central thought and at least one of the related thoughts;

selecting a related thought of the central thought to be a new central thought; and

displaying an indicium of the new central thought and at least one related thought. [emphasis added].

Claim 1 of the present invention is different from the cited reference from a number of perspectives. In the present invention, claim 1 first organizes the electronic information as a plurality of thought. In the cited reference is a matrix that comprises the

plurality of thoughts. Second, in claim 1 of the present invention, an indicium of the central thought is being displayed with at least one of the related thoughts. In the cited reference, an indicium of a second thought is displayed having a direct relation to the first thought. In the present invention, the relationship between the central thought and the other thought to be displayed does not have to direct. Further, in the present invention, a thought related to the central thought is selected to be the new central thought. In the cited reference, it is the indicia of thoughts having defined relations with the second thought will be displayed. Since claim 1 of the present invention is distinctively different from the cited reference, the same invention type of double patenting rejection should not apply in the present application. The Applicant respectfully requests that the Examiner withdraw the same invention type double patenting rejection.

Claims 2-5 and 9-10 are either directly or indirectly depend from claim 1, the same invention type double patenting rejection is not applicable to the claims in the present application. The Applicant respectfully request the Examiner to withdraw the same invention type double patenting rejection.

The Examiner rejected claims 6-8, and 11-56 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-36 of U.S. patent No. 6,031,537. In response to this rejection, the Applicant has filed a terminal disclaimer on July 21, 2001. This should overcome the obviousness-type double patenting rejection. A courtesy copy of this filing is attached for your information and reference.

Based on the reasons stated above, Applicant believes that claims 1-56 are in condition for allowance, and notice thereof is respectfully solicited. Should a telephone conference be required to expedite the prosecution of this application, the Examiner is respectfully requested to contact the undersigned at the number set out below.

Date: March 7, 2003

Respectfully submitted,

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CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited on June 4, 2003, with the U.S. Postal Service as first class mail in an envelope addressed to: Box No Fee Amendment, Commissioner for Patents, Washington, D.C. 20231.

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Yvette Yturralde-Owen

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